

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re the Application of: Raymond A. Lia et al.

Docket No.: 281_335.01DIV

Ser. No.: 10/608,202

Patent No.: 6,796,186 B2

Filed: June 27, 2004

Issued: September 28, 2004

For: BLOOD PRESSURE MEASURING DEVICE WITH DIRECTLY
COUPLABLE MEASUREMENT MECHANISM

REQUEST FOR CERTIFICATE OF CORRECTION
PATENT OFFICE ERROR

Certificate
OCT 26 2004
of Correction

Commissioner of Patents
P.O. Box 1450
Alexandria, VA 22313-1450
Attn: Certificate of Correction

I hereby certify that this correspondence is being deposited with the
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Commissioner of Patents, P.O. Box 1450, Alexandria, VA 22313-
1450, Attn: Certificate of Correction on October 18, 2004.
Evelyn B. Hall
Evelyn B. Hall

Sir:

Receipt of the above-identified patent is hereby acknowledged.

In checking the original patent against our file, however, one minor error was noted. According to our Amendment dated, April 29, 2004, on claim 17., the word "mount" is misspelled on the patent and should be corrected to read as "mounted". Enclosed is a copy of the Amendment attesting to same.

It is, therefore, requested that a Certificate of Correction be issued as per the attached form PTO 1050, submitted herewith in duplicate.

The Commissioner is hereby authorized to charge any additional fees associated with this communication or credit any overpayment to Deposit Account No. 50-0289. A duplicate copy of this sheet is enclosed.

Respectfully submitted,

WALL MARJAMA & BILINSKI LLP

By: *Peter J. Bilinski*

Peter J. Bilinski
Reg. No. 35,067

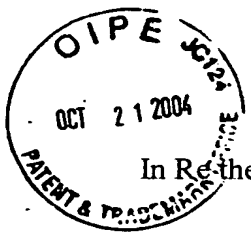
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PATENT TRADEMARK OFFICE

OCT 26 2004



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In Re the Application of: Raymond A. Lia et al.

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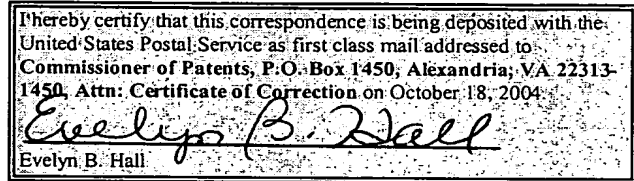
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Sir:

Receipt of the above-identified patent is hereby acknowledged.

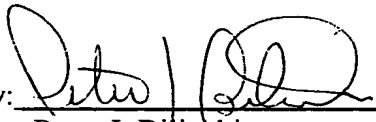
In checking the original patent against our file, however, one minor error was noted. According to our Amendment dated, April 29, 2004, on claim 17., the word "mount" is misspelled on the patent and should be corrected to read as "mounted". Enclosed is a copy of the Amendment attesting to same.

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Respectfully submitted,

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OCT 26 2004



Practitioner's Docket No.: 281_335.01DIV

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the application of: Robert L. Vivenzio et al.

April 29, 2004

Serial No.: 10/608,202

Art Unit: 2855

Filed: June 27, 2003

Examiner: William L. Oen

Confirmation No.: 7626

For: PRESSURE MEASURING DEVICE

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

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Susanne C. Aregano
Susanne C. Aregano

AMENDMENT

Sir:

In response to the non-final Office Action, dated March 30, 2004, please amend the above-identified patent application, without prejudice, as follows:

Amendments to the Specification begin on page 2 of this paper.

Amendments to the Claims are reflected in the listing of claims which begins on page 3 of this paper.

Remarks begin on page 6 of this paper.

Serial No.: 10/608,202
Amendment Dated: April 29, 2004
Reply to Office Action of March 30, 2004

AMENDMENTS TO THE SPECIFICATION:

Please delete the Title on page 1 in toto and replace with the following new Title:

**--BLOOD PRESSURE MEASURING DEVICE WITH DIRECTLY
COUPLABLE MEASUREMENT MECHANISM--**

OCT 26 2004

OCT 26 2004

AMENDMENTS TO THE CLAIMS:

This listing of claims will replace all prior versions, and listings, of claims in the above-captioned patent application:

Listing of Claims:

Claims 1-10 (Canceled)

11. (Amended) A blood pressure measuring device comprising:
a device housing having an upper portion and a lower portion, said lower portion including at least one engagement end that is directly couplable to an inflatable blood pressure sleeve to permit direct fluid communication ~~therebetween~~ between the interior of said device housing and the interior of said inflatable sleeve without hoses or tubing.

12. (Previously Presented) A pressure measuring device as recited in Claim 11, wherein said engagement end includes at least one circumferential channel for reducing the transmission of shock or impact loads to a movement mechanism retained within said housing.

13. (Previously Presented) A pressure measuring device as recited in Claim 12, wherein at least one circumferential channel is disposed on a bottom surface of said engagement end.

14. (Previously Presented) A pressure measuring device as recited in Claim 12, wherein at least one circumferential channel is disposed along an axial portion of said engagement end.

15. (Previously Presented) A pressure measuring device as recited in Claim 11, including said inflatable blood pressure sleeve, said sleeve having a receiving portion for directly receiving said engagement end, said receiving portion having an opening which permits fluid communication between the interior of the sleeve and the interior of the housing.

16. (Original) A pressure measuring device as recited in Claim 11, including a movement mechanism disposed within said housing and shock absorbing means for preventing the transmission of certain shock and impact loads to the movement mechanism, said shock absorbing means including means for creating a discontinuous path for said shock and impact loads.

17. (Original) A pressure measuring device as recited in Claim 16, wherein said shock absorbing means includes a peripheral bumper mounted onto the exterior of said housing, said bumper having a periphery including at least one extending portion extending beyond said periphery, said extending portion including at least one gap region defining a buffer for absorbing a shock or impact load applied thereto.

18. (Original) A pressure measuring device as recited in Claim 17, wherein said at least one extending portion of said peripheral bumper extends axially above a viewing window attached to said upper portion of said housing.

19. (Original) A pressure measuring device as recited in Claim 17, wherein at least one extending portion of said peripheral bumper extends radially outward from the periphery of said bumper.

20. (Original) A pressure measuring device as recited in Claim 16, wherein said shock absorbing means includes at least one circumferential channel in said lower portion.

21. (Previously Presented) A pressure measuring device as recited in Claim 20, wherein said at least one circumferential channel is disposed in said engagement end.

22. (Previously Presented) A pressure measuring device as recited in Claim 21, wherein said circumferential channel is cut into a bottom surface of said engagement end.

23. (Previously Presented) A pressure measuring device as recited in Claim 21, wherein said circumferential channel is cut adjacent to a depending end of said engagement end.

REMARKS

The above-captioned patent application has been carefully reviewed in light of the non-final Official Action to which this Amendment is responsive. Claim 11 has been amended in order to better clarify and particularly point out that which is regarded as the present invention. In addition, the Title of the invention has also been amended pursuant to the request of the Examiner. It is believed that no new matter has been added to the above-captioned application.

Claims 11-23 are pending in the present application. Claims 11-23 have been rejected under the doctrine of obviousness-type double patenting based upon Claims 1-10 of USSN 09/929,501, now U.S. Patent No. 6,615,666 B1. Claims 11 and 15 have also been rejected based upon certain prior art, particularly U.S. Patent No. 6,213,953. In addition, the Examiner has objected to the Title of the invention.

Applicants' herein wish to point out that the above-captioned patent application is a divisional application of USSN 09/929/501. The filing of this divisional application was required based upon a Restriction Requirement that was filed by the Office with the Notice of Allowance for the '501 application. A copy of this Notice is attached hereto for the Examiner's review. This divisional application was not voluntary and therefore it is believed the obviousness-type double patenting rejection of Claims 11-23 is improper and should be withdrawn. Reconsideration is respectfully requested. In passing, it further is believed from a review of the present Office Action that the Examiner may not have reviewed the Preliminary Amendment that was filed contemporaneously with the above-captioned application on June 27, 2003 canceling Claims 1-10 and amending Claims 11-15 and 21-23. The Examiner is respectfully requested to refer to this paper for a current representation of the claims. The listing of claims in this paper is based upon the listing that was previously presented in the above-noted Preliminary Amendment.

In passing, the Examiner noted that he already revised the status of the application numbers listed in the above-captioned specification to reflect those of the subsequently issued patents. This revision is gratefully acknowledged.

Turning to the prior art rejections, Claims 11 and 15 have been rejected under 35 USC §103(a) as being unpatentable over Reeves (U.S. Patent No. 6,213,953). Applicants' respectfully request reconsideration based on the amended claim and the following discussion.

In order to establish a *prima facie* obviousness rejection under the Statute, each and every claimed limitation must be found in the cited prior art, either singly or in combination. Those features that are not found in the prior art must be notoriously well known to one of sufficient skill in the field of the invention.

Reeves '953 describes a blood pressure measuring device that includes a cuff 112 having an inflatable bladder 116 that is sandwiched between respective inner and outer layers 114 and 118. A pair of air removal lines 120 and 121 extend from the cuff to a device housing 16, as is shown in Fig. 3.

The present invention, on the other hand, relates to a pressure measuring device that includes a blood pressure sleeve having an inflatable bladder and a device housing. The device housing as recited in Claim 11, includes an upper portion and a lower portion wherein the lower portion includes an engagement end that is directly couplable to the blood pressure sleeve. When coupled, the interior of the device housing and the interior of the blood pressure sleeve are directly fluidly interconnected but without the interposition of any hoses or tubing of any kind. The above connection provides significant convenience for the user in that the device is directly engaged with the sleeve, freeing up the hands of the patient and/or the caregiver. The Reeves device, by its very inclusion of air removal lines, is in fact bringing hosing to the cuff, the precise feature that has eliminated by the present invention. Applicants take exception to the comments made by the Examiner that it would be an obvious design variation to interpose Reeves' device with that of Applicants' and that there are devices/art that already provide this feature (direct fluid connection of a device to a blood pressure sleeve). The latter remark is clearly an overreaching assumption on the Examiner's part and if this feature is clearly so well known then Applicants' challenge the Examiner to provide examples to their attention.

Serial No.: 10/608,202
Amendment Dated: April 29, 2004
Reply to Office Action of March 30, 2004

It is hoped that these comments amplify the extent of the invention. To that end and to further clarify same, Applicants' have now amended Claim 11 to more clearly specify that the interior of the device housing directly and fluidly interconnects with the interior of the inflatable sleeve in an effort to further clarify the invention. Fig. 9, for example, provides support for this change. Therefore, no new matter has been added. As a result, it is believed Claim 11 is patentably distinct of the cited prior art. Claim 15 is believed to be allowable for the same reasons, since this claim depends on Claim 11. Reconsideration is therefore respectfully requested.

Finally, Applicants have amended the Title to more clearly relate the invention more closely to that of the claimed subject matter. Withdrawal of this objection is respectfully requested.

In summary, it is believed the above-captioned patent application is now in an allowable condition and such allowance is earnestly solicited.

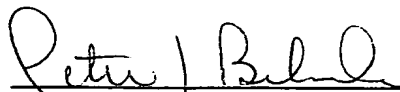
If the Examiner wishes to expedite disposition of the above-captioned patent application, he is invited to contact Applicants' representative at the telephone number below.

The Director is hereby authorized to charge any additional fees associated with this communication or credit any overpayment to Deposit Account No. 50-0289.

Respectfully submitted,

WALL MARJAMA & BILINSKI LLP

By:



Peter J. Bilinski
Reg. No. 35,067

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Customer No.: 20874

Day : Wednesday

Date: 10/27/2004

Time: 11:42:14

 **PALM INTRANET**

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